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1 — Temporary plant to treat waste spilling from mine in Colorado, Albuquerque Journal, 9/23/2015

<http://www.abqjournal.com/648622/news/temporary-plant-to-treat-waste-spilling-from-mine-in-colorado.html>

The Environmental Protection Agency said Wednesday it will set up a temporary treatment plant for wastewater flowing from the Gold King Mine in southwestern Colorado after 3 million gallons surged out of the mine in August, tainting rivers in three states.

2 — Texas Frackers Freak Over Proposal to Cut Gas Pollution, Dallas Observer, 9/24/2015

<http://www.dallasobserver.com/news/texas-frackers-freak-over-proposal-to-cut-gas-pollution-7621011>

In Dallas and other cities across the country, local transit agencies are proud to announce that their buses run on natural gas. Natural gas puts less carbon dioxide into the atmosphere than diesel, so the switch to natural gas is supposed to be a positive step to slow global warming.

3 — EPA hears widely different views on methane emission threat, AP, 9/23/2015

http://www.brownsvilleherald.com/news/texas/article_58bde429-d08b-5b9b-a7eb-d8238f323a25.html

Over-regulating methane emissions could discourage the use of environment-friendly natural gas, an energy industry representative told the Environmental Protection Agency on Wednesday.

4 — Laredo environmentalist attends Dallas EPA meeting, KGNS, 9/23/15

<http://www.kgns.tv/home/headlines/epa-328887021.html>

The Environmental Protection Agency is holding a public hearing in Dallas on Wednesday. They are proposing stricter rules to limit methane emissions, released by oil and gas production. A local environmentalist is at the conference and held a presentation seeking help from the federal agency.

5 — EPA awards \$350,000 to help Pulaski County clean up sites, Arkansas Online, 9/23/2015

<http://www.arkansasonline.com/news/2015/sep/23/epa-awards-350000-help-pulaski-county-clean-sites/>

The U.S. Environmental Protection Agency said Wednesday that it is awarding \$350,000 in supplemental funding to help clean up contaminated sites in Pulaski County.

6 — AG files motion to dismiss suit over haze, Arkansas Online, 9/24/2015

<http://www.arkansasonline.com/news/2015/sep/24/ag-files-motion-to-dismiss-suit-over-ha/>

Arkansas Attorney General Leslie Rutledge filed a motion this week to dismiss the federal lawsuit that prompted the U.S. Environmental Protection Agency to issue a plan for Arkansas to address haze at national wilderness areas.

7 — Volkswagen Test Rigging Follows a Long Auto Industry Pattern, New York Times, 9/23/2015

<http://nyti.ms/1gOr9Sw>

Long before Volkswagen admitted to cheating on emissions tests for millions of cars worldwide, the automobile industry, Volkswagen included, had a well-known record of sidestepping regulation and even duping regulators.

8 — Volkswagen CEO steps down, takes responsibility for scandal, Alb. Journal, 9/23/2015

<http://www.abqjournal.com/648533/biz/biz-most-recent/volkswagen-ceo-steps-down-takes-responsibility-for-scandal.html>

Volkswagen CEO Martin Winterkorn resigned Wednesday, days after admitting that the world's top-selling carmaker had rigged diesel emissions to pass U.S. tests during his tenure. No replacement was announced, and VW still has no easy exit from a scandal that has suddenly dented a reputation for trustworthiness that took decades to build.

9 — It's time for NM to get serious on ozone (opinion), Alb. Journal, 9/24/2015

<http://www.abqjournal.com/648705/opinion/its-time-for-nm-to-get-serious-on-ozone.html>

For far too many New Mexicans, exposure to dangerous levels of ozone pollution is a serious health problem. In New Mexico's biggest cities and in our major oil and gas producing counties ozone pollution – commonly referred to as smog – is getting poor grades from respected public health organizations like the American Lung Association.

10 — Clean Power Plan would raise prices (editorial), Tyler Telegraph, 9/24/2015

<http://www.tylerpaper.com/TP-Editorials/224538/clean-power-plan-would-raise-prices>

Congressional hearings held earlier this month shed a lot of light on the Obama administration's proposed Clean Power Plan. What we've learned is unsettling. The CPP would require states to cut emissions from power-generating plants by 32 percent (from 2005 levels) by 2030.

11 — Long Live Expensive Water, Dallas Observer, 9/24/2015

<http://www.dallasobserver.com/news/long-live-expensive-water-7620329>

The vast majority of Louisiana voters believe protecting and restoring coastal Louisiana is as important as any other issue facing the state, and the next governor should make restoration a high priority, according to the results of a new state-wide poll released Monday (Sept. 21) by a coalition of environmental groups.

12 — \$134M for recovery projects arising from 2010 Gulf oil spill, Times Picayune, 9/23/2015

http://www.nola.com/environment/index.ssf/2015/09/134m_for_recovery_projects_ari.html#incart_river

A panel on Wednesday approved using \$134 million provided by energy giant BP PLC on 10 projects to help the Gulf of Mexico recover from a catastrophic 2010 oil spill.

13 — Pope endorses Obama's EPA initiative, Houston Chron, 9/23/2015

<http://www.houstonchronicle.com/business/energy/article/Pope-endorses-Obama-s-EPA-initiative-6525378.php>

Pope Francis had been in the United States less than 24 hours Wednesday when he renewed his call for urgent action on climate change - a position that puts him firmly in one camp on an issue among many that define the American political divide.

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ALBUQUERQUE JOURNAL

Temporary plant to treat waste spilling from mine in Colorado



Water flows through a series of sediment retention ponds built to reduce heavy metal and chemical contaminants from the Gold King Mine wastewater accident, in the spillway about a quarter mile downstream from the mine, outside Silverton, Colo., in August. (Brennan Linsley/The Associated Press)

By Associated Press

Thursday, September 24th, 2015 at 12:02am

DENVER – The Environmental Protection Agency said Wednesday it will set up a temporary treatment plant for wastewater flowing from the Gold King Mine in southwestern Colorado after 3 million gallons surged out of the mine in August, tainting rivers in three states.

Colorado's two U.S. senators urged the agency to build a longer-term plant to treat acidic water flowing from multiple mines in the Upper Animas River watershed around Silverton, saying pollution from inactive shafts is a serious problem across the West.

The EPA said it needs the temporary plant for the Gold King Mine because it will be unsafe to operate the settling

ponds that are now in use when winter temperatures fall below zero.

The \$1.8 million facility is expected to start operating by Oct. 14 and run for up to 42 weeks. The EPA said it will cost \$20,000 a week to operate.

The plant would be portable, but EPA spokeswoman Christie St. Clair said she couldn't immediately provide details.

The EPA released documents last week saying it was considering the plant.

St. Clair said the EPA will decide whether to set up a longer-term treatment plant after a more detailed evaluation of other leaking mines in the Upper Animas River watershed.

An EPA-led cleanup crew inadvertently triggered the Gold King Mine blowout Aug. 5 when heavy equipment breached a debris dam holding back wastewater containing heavy metals. The water flowed into rivers in Colorado, New Mexico and Utah, including the Southern Ute Reservation and the Navajo Nation.



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TEXAS FRACKERS FREAK OVER PROPOSAL TO CUT GAS POLLUTION

BY AMY SILVERSTEIN

THURSDAY, SEPTEMBER 24, 2015 | 5 HOURS AGO



Leonid Ikan/Shutterstock

In Dallas and other cities across the country, local transit agencies are proud to announce that their buses run on natural gas. Natural gas puts less carbon dioxide into the atmosphere than diesel, so the switch to natural gas is supposed to be a positive step to slow global warming. "We had an opportunity when DART was replacing their buses to help them transition to a cleaner fuel," says Ken Nicholson, an executive at natural gas company Clean Energy Fuels, in a promotional video about the company's partnership with Dallas. By early 2015, DART announced that it had replaced most of its fleet with buses running on natural gas. Converting to natural gas fuel "offered both a reduction in greenhouse gas emissions and fuel cost savings," DART said.

But study after study has shown that the environmental benefits of burning natural gas are negated by the process used to extract the gas: fracking. Or, more specifically, the methane that leaks during fracking. Methane is a potent greenhouse gas that makes global warming worse and is documented to be a major by-product of fracking. In February 2014, a study published in the journal *Science* concluded that fracked wells were leaking so much methane into the atmosphere that it negated the benefits of switching buses to natural gas. Another recent review of 11 research papers shows that methane emissions in North Texas' Barnett Shale region are 50 percent higher than the figures estimated by the Environmental Protection Agency. In the short-term, methane leaks from fracked wells have been blamed for problems ranging from flammable water coming out of homeowners' faucets to a Delaware-sized gas plume floating over the state of New Mexico.

So now, finally, the EPA is trying to do something to cut back all that methane. During a hearing Wednesday at Dallas City Hall, and at hearings in other cities throughout the week, the EPA is taking comments on its new proposal to force frackers to limit how much methane leaks out of their new wells. Under the EPA's plan, oil and gas companies would have to cut their methane emissions by around 40 percent within 10 years, a measure that local drillers find to be absolutely terrifying. Under Texas' current loose regulations, there are no guidelines or limits on how much methane they can leak.

Locally, drillers are saying that they've already started cutting back on methane emissions, so we should just trust them to keep working on it. "Instead of allowing these accomplishments to continue, EPA has decided to arbitrarily insert itself," writes Ed Ireland, the Barnett Shale's chief drilling lobbyist, "unleashing a trifecta of unnecessary and costly regulations that drive up the cost of energy and slow new job creation." And for months, the Western Energy Alliance, representing all the big national players in oil and gas, has argued that the proposed regulations are expensive, job-killing and totally unnecessary now.

As much as we'd like to trust them that they're really going to work on the whole polluting-earth's-atmosphere-with-methane thing, our feelings are still a little hurt by the previous Exxon-downplaying-global-warming thing. A recent investigation by *Inside Climate News* found that Exxon researchers have actually known since the 1980s that they were probably contributing to a dangerous global warming trend, but then decided it would be better to publicly mock its own researchers and downplay global warming for years rather than do anything to help.

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EPA hears widely different views on methane emission threat

By DAN ELLIOTT | Posted: Wednesday, September 23, 2015 5:19 pm

DENVER (AP) — Over-regulating methane emissions could discourage the use of environment-friendly natural gas, an energy industry representative told the Environmental Protection Agency on Wednesday.

However, a former Colorado air quality official countered that such controls would be a cost-effective way to fight climate change.

The EPA heard radically different views as it opened public hearings in Denver on its proposal to slash allowable methane emissions from oil and gas production. Sessions were also scheduled in Dallas on Wednesday and in Pittsburgh on Sept. 29.

The proposed rules are aimed at cutting the emissions by 40 to 45 percent by 2025 compared with 2012 levels.

Methane is a key component of natural gas and a powerful greenhouse gas that traps heat in the upper atmosphere.

The EPA estimates the new rule would cost industry from \$320 million to \$420 million annually by 2025 but would reduce health care costs and have other benefits totaling about \$460 million to \$550 million a year.

At the Denver hearing, Kathleen Sgamma of the Western Energy Alliance said agriculture produces more methane emissions than oil and gas development, and the energy industry is the only one capturing and reusing the emissions.

"Why is the oil and gas industry being singled out?" she said.

Imposing tough restrictions could raise the industry's costs so much that the price of natural gas would rise, pushing energy users to use dirtier fuels, she said.

"We are losing sight of that larger climate change benefit," she said. "Natural gas still delivers a huge climate change benefit."

John Lowey, a former member of the Colorado Air Quality Control Commission, said methane is a far more powerful greenhouse gas than carbon dioxide.

Technology to reduce methane emissions is feasible and cost-effective, he said, and such a reduction would also cut back on chemicals that create ozone.

Lowey said the EPA's proposed regulations are a good start but should go further and incorporate two provisions of Colorado's first-in-the-nation state regulations on methane by including existing wells as well as new ones, and requiring more work to detect and repair methane leaks in oil and gas equipment.

Proponents of the EPA rules also argued the measures would reduce respiratory problems and promote a lucrative pollution-control industry.

Opponents said the energy industry has greatly reduced methane emissions on its own, even though oil and gas production is rising. They said the EPA's proposal could stifle industry innovation and slow the rate of improvements.

At the Dallas hearing, Deborah Armintor, a professor at University of North Texas in Denton, described Denton's air quality as "F-rated" because of 300 nearby gas wells.

"Help us, EPA," she said. "You are Texas' only hope for protecting its people and environment from oil and gas industry pollution. State legislators are not doing it for us."

Texas is the nation's leading producer of crude oil and natural gas, and several supporters of the EPA's proposal bemoaned the state's laissez-faire regulation.

"State regulators play a game of pretending to regulate," said Lance Irwin of Mansfield, Texas.

AP writer Emily Schmall in Dallas contributed to this report.

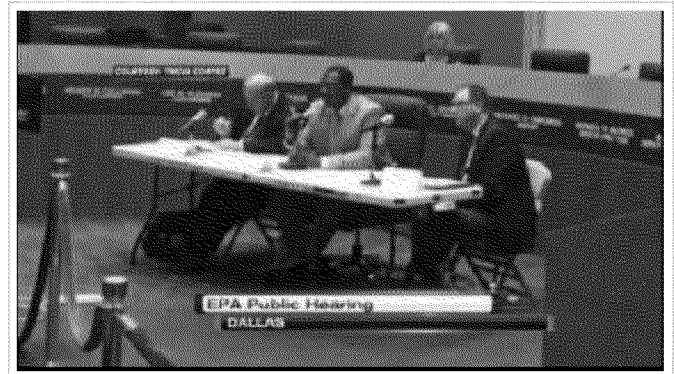
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Laredo environmentalist attends Dallas EPA meeting

By: Matt McGovern

Updated: Wed 8:41 PM, Sep 23, 2015



LAREDO, TEXAS (KGNS) - Stricter rules for oil and gas production could be on the way.

The Environmental Protection Agency is holding a public hearing in Dallas on Wednesday.

They are proposing stricter rules to limit methane emissions, released by oil and gas production.

It's a strategy to help reduce the air pollution created by the growing fracking industry.

A local environmentalist is at the conference and held a presentation seeking help from the federal agency.

"Unfortunately, we are relying heavily on the EPA to help us to do this because of our failure of our state leaders when they passed House Bill 40 from cities to regulate this type of activity"

Cortez says she hopes rules that would be applied to energy fields, are extended to cover all infrastructure that could leak methane too.

The new rules, if passed, would aim to reduce these kinds of emissions by 2025.

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EPA awards \$350,000 to help Pulaski County clean up sites

By Brandon Riddle

This article was published September 23, 2015 at 5:37 p.m.

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The U.S. Environmental Protection Agency said Wednesday that it is awarding \$350,000 in supplemental funding to help clean up contaminated sites in Pulaski County.

The EPA said the money will be used to clean Full Counsel and Sterling building sites.

"Just last week, I was in Little Rock for the unveiling of a revived Main Street as a Creative Corridor where Brownfields played a part in over \$100 million investment by private development," EPA regional administrator Ron Curry said in a statement. "These additional funds will help return other areas across Little Rock to valuable community assets."

Fredrick Love, director of Pulaski County Community Services, said the county's partnership with the EPA has resulted in 419,000 square feet of remediated area, created 200 jobs and added \$38 million to the local economy.

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AG files motion to dismiss suit over haze

By Emily Walkenhorst

This article was published today at 3:12 a.m.

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Arkansas Attorney General Leslie Rutledge filed a motion this week to dismiss the federal lawsuit that prompted the U.S. Environmental Protection Agency to issue a plan for Arkansas to address haze at national wilderness areas.

Meanwhile, the EPA, which is working with the Arkansas Department of Environmental Quality on a new plan, proposed a date of Aug. 31, 2016, for issuing a new plan.

Utilities -- largely targeted by the current EPA plan for power plant emissions that cause haze -- estimated that the plan would likely cost more than \$1 billion to comply with, but the EPA has estimated the cost to be less than half of that figure.

The 1999 Regional Haze Rule, which is part of the Clean Air Act, is intended to reduce sulfur dioxide and nitrogen oxide emission that contribute to visibility impairment at 156 national parks and certain wilderness areas.

Because of emissions produced by power plants in Arkansas, the state must address the Upper Buffalo and Caney Creek wilderness areas, in addition to the Hercules-Glades Wilderness Area and Mingo National Wildlife Refuge in Missouri.

By law, the rule targets only visibility, but proponents of the rule argue that reducing sulfur dioxide emissions will also reduce the number of respiratory illnesses and deaths in Arkansas and across the country.

The EPA plan for Arkansas to implement the rule was part of a proposed consent decree between the EPA and the Sierra Club, which had sued the EPA in 2014 for not issuing a plan two years after it had partially rejected a state plan for implementing the Regional Haze Rule. The state never resubmitted a plan, either.

In a filing Tuesday, Assistant Attorneys General Dara Andrew Hall and Jamie L. Ewing argued that the Sierra Club has no standing in the case and that it has shown no injury from the EPA's decision not to issue a federal plan.

The Sierra Club has argued that it does have standing because of its membership in Arkansas and that injury can be measured by the visibility impairment caused by sulfur dioxide and nitrogen oxide emissions.

The Arkansas Department of Environmental Quality has supported the state's recent intervention in the case and is working with the EPA to develop a state plan for implementing the Regional Haze Rule.

The EPA filed a motion this week opposing the Sierra Club's request earlier this month for a judge to set a deadline by which a final plan must be issued.

The Sierra Club filed the request Sept. 8, concerned that the EPA would continue to push back the original Dec. 15, 2015, deadline. The environmental advocacy group asked for a deadline of April 15, 2016.

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The EPA has said in filings that it would not have a plan by then because of limited resources. The agency's Region 6 office, which serves Arkansas, Louisiana, Oklahoma, Texas and New Mexico, is also working to implement the Regional Haze Rule in Texas.

Metro on 09/24/2015

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The New York Times | <http://nyti.ms/1QZcYaq>

INTERNATIONAL BUSINESS

Volkswagen Test Rigging Follows a Long Auto Industry Pattern

By **DANNY HAKIM** and **HIROKO TABUCHI** SEPT. 23, 2015

Long before Volkswagen admitted to cheating on emissions tests for millions of cars worldwide, the automobile industry, Volkswagen included, had a well-known record of sidestepping regulation and even duping regulators.

For decades, car companies found ways to rig mileage and emissions testing data. In Europe, some automakers have taped up test cars' doors and grilles to bolster their aerodynamics. Others have used "superlubricants" to reduce friction in the car's engine to a degree that would be impossible in real-world driving conditions.

Automakers have even been known to make test vehicles lighter by removing the back seats.

Cheating in the United States started as soon as governments began regulating automotive emissions in the early 1970s. In 1972, certification of Ford Motor's new cars was held up after the Environmental Protection Agency found that the company had violated rules by performing constant maintenance of its test cars, which reduced emissions but did not reflect driving conditions in the real world. Ford walked away with a \$7 million fine.

The next year, the agency fined Volkswagen \$120,000 after finding that the company had installed devices intended specifically to shut down a vehicle's pollution control systems. In 1974, Chrysler had to recall more than 800,000 cars because similar devices were found in the radiators of its cars.

Such gadgets became known as "defeat devices," and they have long been banned by the E.P.A. But their use continued to proliferate, and they became more sophisticated, as illustrated by Volkswagen's admission this week that 11 million diesel cars worldwide were equipped with software used to cheat on emissions tests. The scandal played out on Wednesday with the resignation of the automaker's chief executive, Martin Winterkorn.

Beyond emissions, the industry has long been contemptuous of regulation. Henry Ford II called airbags "a lot of baloney," and executives have bristled at rules requiring higher mileage per gallon. Robert A. Lutz, the former General Motors vice chairman and Chrysler president, often said the rules were like "trying to cure obesity by requiring clothing manufacturers to make smaller sizes."

The universe of automotive scandals has been a broad and often tragic one, including Ford's 1978 recalls of 1.5 million Pintos after evidence emerged that its gas tanks were prone to catch fire during impacts. The Chrysler Corporation was indicted in 1987 on charges of disconnecting the odometers of 60,000 cars used by executives and then selling them as new. The Ford-Firestone scandal that started in the late 1990s was linked to 271 deaths. And more than 23 million cars have been recalled by 11 automakers over airbags made by Takata that could violently rupture in an accident.

Misleading gas mileage claims have disturbed regulators and consumers who find that cars often use more gas than promised on the window sticker. Last year, the Korean automakers Hyundai Motor and Kia Motors paid \$300

million to settle a lawsuit filed by the E.P.A. for
misleading consumers about the mileage

Limited time offer

complaints, and the claims.

meeting. Executives are

insured that the statute administration “has no compliant vehicles,” says

Joan Claybrook, a former administrator of the agency and a longtime advocate of auto safety. There are no criminal penalties under laws applying to the E.P.A. for violations of motor vehicle clean air rules, though there is a division of the Justice Department devoted to violations of environmental law.

“I don’t see them changing this behavior unless criminal penalties are enacted into law that allow the prosecutor to put the executives in jail,” Ms. Claybrook said.

Enforcement outside the United States is rarer, and other major car markets, like Germany and Japan, tend to be protective of their domestic automakers. This year, the South Korean authorities claimed that Audi and Toyota had inflated fuel economy claims on two models — the Audi A6 sedan and the Toyota Prius gas-electric hybrid — by over 10 percent. The two automakers have denied the accusations.

The South Korean government’s Ministry of Land, Infrastructure and Transport had already accused G.M.’s Korean subsidiary, GM Korea, of inflating the mileage claims on the Chevrolet Cruze, forcing the automaker to revise its stated mileage last year and to draft a plan to compensate Cruze owners.

Software gives automakers a new advantage. Modern cars can sense collisions and start braking before drivers do and are even on the verge of

driving themselves. So perhaps it is no surprise they can also sense when they are in a laboratory and, knowing that, put their best foot forward.

The advent of the computerized car and the use of software to dupe regulators have been years in the making. General Motors paid \$45 million in 1995 and recalled nearly half a million Cadillacs that were equipped with a chip that shut off emissions control systems while the air-conditioner was being used, to improve the car's performance.

In 1998, the E.P.A. announced a settlement of nearly \$1 billion against long-haul truck engine manufacturers for violations similar to Volkswagen's — using software to optimize the performance of diesel engines during laboratory testing.

Some believe that using software to cheat on laboratory results goes beyond Volkswagen.

While officially stated fuel efficiency and carbon-dioxide emissions figures have steadily improved over the years, real-world tests showed no corresponding improvement, according to the European Federation for Transport and Environment, an advocacy group based in Brussels. In fact, the group's testing found that the average diesel car was producing emissions five times as high as what was permitted. Some vehicles from BMW and Opel emitted 10 times as much pollution on the road as in the lab.

The difference between the lab and real-world results swelled to 40 percent last year, on average, from 8 percent in 2002, the group also found.

“We call it the tip of the iceberg,” said Jos Dings, the director of Transport and Environment. “We don't think this will be limited to Volkswagen. If you look at the testing numbers for the other manufacturers, they are just as bad.”

He said the group had found gaps in both emissions of pollutants and

overall fuel efficiency.

Greg Archer, another official at the group and a former director at Britain's renewable fuels regulator, said, "There is something very suspicious about the way in which these tests are being passed, and it strongly suggests that companies are using defeat devices in the laboratory."

The Alliance of Automobile Manufacturers, which represents the industry, referred questions to Volkswagen and called the matter "a company-specific issue about their products."

In a statement on Tuesday, Volkswagen said it did "not tolerate any kind of violation of laws whatsoever."

"It is and remains the top priority of the Board of Management," the company added, "to win back lost trust and to avert damage to our customers."

Winning back trust could prove difficult, especially while the company is doing damage control. In recent days, Volkswagen has been taking down copies of its pro-diesel ads from YouTube.

Dan Becker, director of the safe climate campaign at the Center for Auto Safety, said that in 2011 he was among a group of environmental lawyers and engineers who traveled to Germany to hear automakers make a pitch for diesel cars. He said that while BMW and Daimler had taken the group's concerns seriously, Volkswagen officials had not.

"They talked down to us," he said of the company. "They would definitely win an Academy Award for most egregious automaker. And this is one of the companies that tried desperately to get Americans to buy diesel. I think they just sank that ship."

Keith Bradsher contributed reporting.

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ALBUQUERQUE JOURNAL

Volkswagen CEO steps down, takes responsibility for scandal

By Geir Moulson and Pan Pylas / Associated Press

Published: Wednesday, September 23rd, 2015 at 4:08pm

Updated: Wednesday, September 23rd, 2015 at 4:09pm

BERLIN — Volkswagen CEO Martin Winterkorn resigned Wednesday, days after admitting that the world's top-selling carmaker had rigged diesel emissions to pass U.S. tests during his tenure.

No replacement was announced, and VW still has no easy exit from a scandal that has suddenly dented a reputation for trustworthiness that took decades to build. The smog-test trickery has wiped out billions in VW's market value and raised the specter of criminal investigations and billions more in fines.

Winterkorn took responsibility for the "irregularities" found by U.S. inspectors in VW's diesel engines, but insisted he had personally done nothing wrong.

"I am doing this in the interests of the company even though I am not aware of any wrongdoing on my part," his statement said. "Volkswagen needs a fresh start ... I am clearing the way for this fresh start with my resignation."

Winterkorn, 68, resigned following a crisis meeting of the Volkswagen supervisory board's executive committee. Its acting chairman, Berthold Huber, said company directors are "resolved to embark with determination on a credible new beginning."

Huber said a successor will be discussed at a board meeting on Friday that was originally intended to approve extending Winterkorn's contract through 2018.

VW reversed its market slide, closing up 6.9 percent at 118.90 euros. But VW's share price has a long way to go to recoup this week's losses.

Nearly 25 billion euros (around \$28 billion) was wiped out in the first two days of trading after the U.S. Environmental Protection Agency revealed that VW has been violating the Clean Air Act and could be subject to fines of as much as \$18 billion.

Winterkorn, VW's boss since 2007, had come under intense pressure since the EPA's disclosure Friday that stealth software makes VW's 2009-2015 model cars powered by 2.0-liter diesel engines run cleaner during emissions tests than in actual driving.

The EPA accused VW of installing the so-called "defeat device" in 482,000 cars sold in the U.S. VW later acknowledged that similar software exists in 11 million diesel cars worldwide and was setting aside 6.5 billion euros to cover the costs of the scandal.

Huber said "Mr. Winterkorn had no knowledge of the manipulation of emission values," and praised the departing CEO's "readiness to take responsibility in this difficult situation for Volkswagen."

Stephan Weil, the governor of Lower Saxony state, which holds a 20 percent stake in Volkswagen, said VW is filing a criminal complaint, "because we have the impression that criminally relevant actions may have played a role here."

Weil, also a VW director, promised to "clear up these events with all the possibilities we have inside the company

and ensure that those involved are punished severely.”

The prosecutors’ office in Braunschweig, near VW’s Wolfsburg headquarters, confirmed that it is weighing an investigation of VW employees.

Other governments from Europe to South Korea have begun their own inquiries, and law firms have already filed class-action suits on behalf of customers.

There is no immediate way of restoring VW’s reputation, but only total transparency can resolve the scandal and salvage its brand, said Jeremy Robinson-Leon, chief operating officer at Group Gordon, a New York-based corporate and crisis PR firm.

“The most important thing is that VW comes out and tells the public what happened, who was involved and make sure that it doesn’t happen again,” he said.

U.S. regulators raised questions about VW’s diesel emissions in March 2014, and insisted on answers for another 18 months before the company finally acknowledged installing the stealth software.

The company has yet to reveal what its digital records show about who developed, wrote and tested the code, under whose direction, and why.

German authorities also insisted on answers Wednesday as they sought to limit the impact on Europe’s largest economy.

Economy Minister Sigmar Gabriel said it’s important the scandal is cleared up quickly and “the consequences are drawn.” But he cautioned against casting doubt on the quality of Volkswagen as a whole or the rest of the country’s auto industry.

“The damage that some people have unleashed for the company and its employees is huge — but I think we should take care not to make a general debate about the quality of Volkswagen or the whole German auto industry out of this,” Gabriel said at the Frankfurt auto show.

“‘Made in Germany’ stands for excellent products,” insisted Ulrich Grillo of the Federation of German Industries.

Still, economists are raising concerns about an impact on German growth.

Carsten Brzeski, chief economist at ING Germany, said the ongoing refugee crisis and now the “Volkswagen shocker” pose new risks. While the impact remains unclear, VW is “one of Germany’s most important global champions” and an “important growth driver for the German economy.”

Another unanswered question is whether Volkswagen was alone in trying to dupe emissions testers. Wah okorries about wider malpractices have depressed the share prices of many other European automakers, though not on VW’s scale.

Some of those stocks recovered slightly from early session losses Wednesday. BMW’s closed up 0.6 percent, while Daimler’s was up 0.3 percent. French carmakers Peugeot Citroen and Renault fared worse though, down 2.6 percent and 2.3 percent respectively.

“Dealers despise being kept in the dark, and the carmakers as a whole will be a sector to swerve until there is a conclusion to this saga,” said David Madden, a market analyst at IG.

Germany’s biggest bank, Deutsche Bank, has already lowered its forecast for the main German stock market index, the DAX, where carmakers account for 25 percent of its total value. It warned clients to expect “a potentially more sustained loss in brand value and prolonged recovery period ahead in the U.S.”

Pylas contributed from London.

Business Links

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ALBUQUERQUE JOURNAL

It's time for NM to get serious on ozone

By Denise Fort / Professor Emerita, Unm School Of Law

Thursday, September 24th, 2015 at 12:02am

For far too many New Mexicans, exposure to dangerous levels of ozone pollution is a serious health problem. In New Mexico's biggest cities and in our major oil and gas producing counties ozone pollution – commonly referred to as smog – is getting poor grades from respected public health organizations like the American Lung Association.

This means that residents of Bernalillo, Doña Ana, San Juan and Eddy counties are being exposed to ozone at levels that can make them sick, or worse.

Ozone has serious public health impacts. Exposure to elevated levels of this pollution leads to lung problems, causes respiratory harm such as worsened asthma, causes increased susceptibility to infections and is a leading cause of hospital visits, especially among children.

Industry is concerned that the U.S. Environmental Protection Agency has proposed to strengthen public health standards to better protect Americans from dangerous levels of smog. Unfortunately, the big polluters are spending princely sums on television ads and a general media blitz trying to argue that further action to protect us from this pollution isn't necessary.

Scientific data and the recommendations of the nation's leading public health and medical societies strongly suggest otherwise. Cutting ozone pollution is a sensible step that is necessary to better protect all Americans from asthma and other diseases.

The fact is this move is long overdue. The current standard was set under the George W. Bush administration and even at that time an independent body of doctors and public health scientists that advises EPA said it was too high and that it must be strengthened to protect public health. Scientific evidence supporting a more protective standard has only become stronger since then.

This "sky is falling" narrative from industry has been tried many times before. But each time it turns out to be false. The fact is that since the Clean Air Act was signed by President Nixon in 1970 dangerous air pollution has been reduced by 68 percent while the U.S. economy has grown by over 240 percent.

And New Mexico is ripe with solutions to reduce emissions from power plants, vehicles and from the oil and gas industry. Ozone pollution is created by an interaction between two different sorts of air pollutants, oxides of nitrogen and volatile organic compounds. To look at one source, oil and gas development provides a significant source of both of these air contaminants across many parts of the West. It's shouldn't come as a surprise then that two of New Mexico's biggest oil and gas producing counties (Eddy and San Juan) also are suffering from harmful ozone pollution readings.

San Juan County is also the home of a methane hotspot, the highest concentration of this pollution in the country. Methane is the main component of the natural gas produced by tens of thousands of wells in the San Juan Basin, and when these wells leak methane they are also leaking the types of pollution that lead to the formation of unhealthy ozone pollution.

In 2013 the San Juan Basin's oil and gas industry reported emitting almost 220,000 metric tons of methane. By comparison, Wyoming's Upper Green River Basin is also a big gas field with almost twice the gas production of

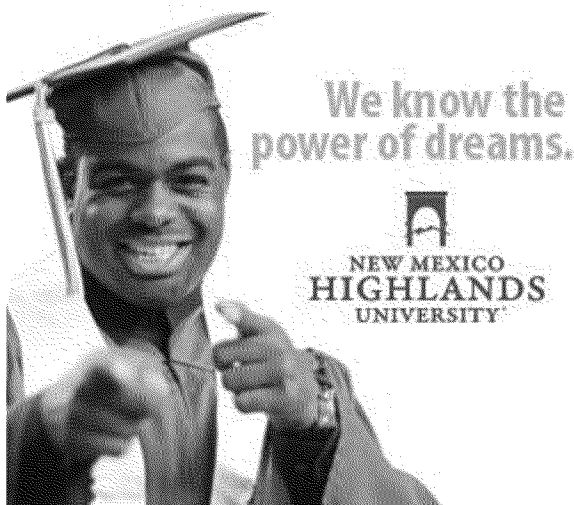
the San Juan Basin, but it only has half the associated emissions. A key difference? Wyoming has been working over the past several years to put strong new rules in place to reduce emissions from new and existing oil and gas sources.

Oil and gas air pollution controls akin to what Wyoming and Colorado – which passed its own rule in 2014 – and which both EPA and BLM are now considering at the national level are sensible and prudent.

The Environmental Protection Agency is poised to issue more protective ozone standards and we as New Mexicans have the tools at our disposal to ensure we have a healthy environment and a strong economy.

Fellow western states like Wyoming and Colorado have shown what's possible through a collaborative, solutions-oriented approach. Now it's time from us to put aside the rhetoric and roll up our sleeves; our children's health depends on it.

Denise Fort is a former head of the New Mexico Environmental Improvement Division.



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Clean Power Plan would raise prices

Published on Thursday, 24 September 2015 04:06 - Written by

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Today's Tyler Morning Telegraph editorial



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Congressional hearings held earlier this month shed a lot of light on the Obama administration's proposed Clean Power Plan. What we've learned is unsettling. The CPP would require states to cut emissions from power-generating plants by 32 percent (from 2005 levels) by 2030.

But the goals set out by the plan - and the plan itself - are unrealistic. Thomas Lindsay of the Texas Public Policy Foundation recently outlined just how.

First, he contends, the EPA hasn't given states enough time to come up with plans to implement the CPP. Those implementation plans are due in 2016.

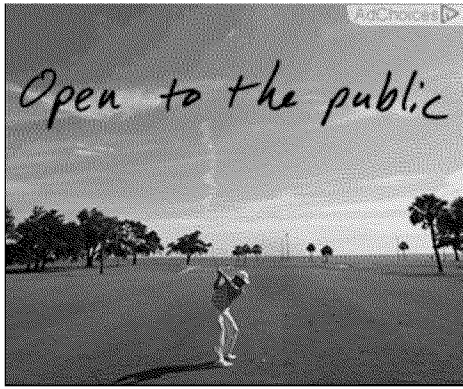
"For example, the Texas legislature meets biennially, with its next session starting in January 2017," Lindsay notes. "Even with an extension, that will be too late for the legislature to give state agencies sufficient guidelines for implementing a plan."

Lindsay quotes a Texas official who testified before Congress. Bryan Shaw, chairman of the Texas Commission on Environmental Quality, told House members that the EPA's claims of economic benefits from the plan are based on flawed assumptions.

For example, the EPA claims that people will see health benefits from a reduction in greenhouse gases. But as Shaw points out, the EPA shouldn't "claim a health benefit from reduction in a pollutant in areas where the EPA has already determined that the current concentration of the pollutant is adequate to protect human health."

But worst of all, Lindsay says, is the fact that all the pain (and higher prices for power) Texas will suffer won't have any real effect on climate change.

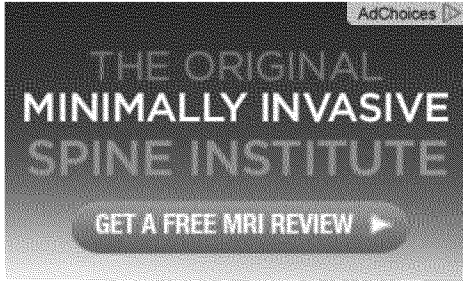
"Even the EPA's claimed environmental benefits don't come from an actual impact on climate change or sea levels, but instead are based on the administration's estimate of the 'social cost of carbon,' as well as a claim that the plan will give the U.S. a stronger bargaining position at the climate summit in December," Lindsay says.



In fact, "the agency's analysis indicates that the Clean Power Plan will lower global temperatures by just 0.018 degrees Celsius, will reduce the atmospheric concentration of carbon dioxide by less than one-half of 1 percent, and will reduce rising sea levels by one hundredth of an inch. These effects are not promised to take place until the year 2100."

That's in a best-case scenario. But those slight improvements in climate forecasts come at a very, very high cost.

"According to a study issued by National Economic Research Associates, the Clean Power Plan will cause 'double-digit electricity rate increases' in 43 states, with a total national cost that could reach \$479 billion over 15 years," Lindsay adds. "Our country's poorest and most vulnerable members will be least able to afford the higher bills. Critics of the Clean Power Plan point to Europe, which is already experiencing energy poverty, forcing low-income families and senior citizens on fixed incomes to choose either food or heating."



A total of 17 states so far - including Texas - have announced they'll file suit against the EPA over the Clean Power Plan.

As the congressional hearing showed, it's all pain and little gain.



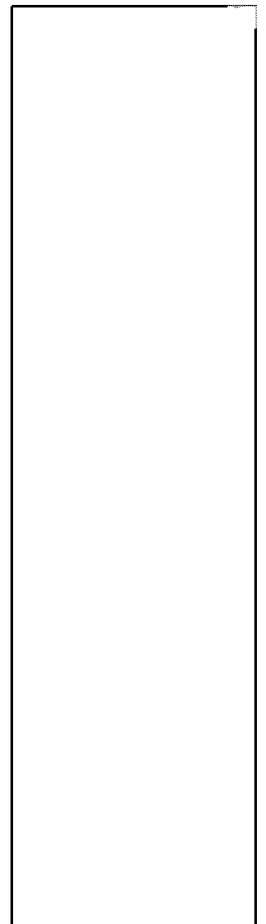
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LONG LIVE EXPENSIVE WATER

BY ERIC NICHOLSON

THURSDAY, SEPTEMBER 24, 2015 | 5 HOURS AGO



This kid won't be smiling so much when your parents get the water bill.

FamVeld

The late-summer Sturm und Drang over high water rates made it to the Dallas City Council this week, where Dallas Water Utilities Director Jody Puckett explained that, calm down, you're water meter's fine, you probably don't have a leak, you just probably forgot during the weird monsoons of spring and early summer how much it costs to dump thousands of gallons of water per month onto your lawn. That and the fact that the water rates have increased significantly over the past few years. The city now charges \$7.63 for every 1,000 gallons of water used above 15,000, an increase of 22 percent since 2012.

But it's in the outlying areas that the outcry over water bills has been the shrillest, particularly the northern suburbs served by the North Texas Municipal Water District. In Richardson, Elise Whitmire's water bill nearly quadrupled, from \$80 to \$310, after she increased her water usage. Same in Garland, where homeowners packed a meeting with city officials to complain

about high water bills. Plano didn't wait for agitated homeowners to start contacting news stations, issuing a press release in late July announcing that, yes, water bills were through the roof and, yes, a lot of residents seemed to be pissed about it. There, as in Dallas, the higher bills were the result of skyrocketing late-summer water usage and increased water costs. But the increases in the suburbs have been far more dramatic. What NTMWD customers pay and how much that's increased varies by city, since those governments decide how to pass wholesale water costs along to their residents. But the rate the NTMWD charges cities will soon be double what it was five years ago. In 2010, the rate was \$1.25 per thousand gallons. This year, it's \$2.06; next year, it will jump to \$2.29 and continue rising through at least 2020, when it's expected to hit \$3.40.

The NTMWD has a handy fact sheet that explains why rates are jumping. The population served by the district is expected to double by 2060 as people continue to flock to places like Frisco and McKinney. The district expects that conservation efforts will cut down on per capita water usage, but it's still working to significantly increase supplies through several expensive projects, including the \$114.6 million Lower Bois d'Arc Creek Reservoir. Member cities have felt an additional squeeze after the discovery of invasive zebra mussels temporarily cost the district access to Lake Texoma and forced the district to purchase millions of gallons of water per day from Dallas.

The fact sheet does a good job of explaining why water rates have had to go up. It doesn't touch on why, despite the howls of protest, this is a good thing.

On a superficial level, water costs exactly what it should. Dallas Water Utilities, the North Texas Municipal Water District, and other big water systems are self-sustaining enterprises that don't turn a profit or operate at a loss. Rates are set at whatever level is needed to pay for the capital and operating costs necessary to obtain an adequate and reliable supply of water and deliver it to customers. But the rates as traditionally structured don't do a very good job at factoring in externalities, especially the fact that water in Texas is a limited – and increasingly strained – resource.





U.S. Army Corps of Engineers, via Wikipedia

We know this is so because of how freely people douse their yards. During summer months, outdoor usage can account for half or more of a household's total water use. Not to pick on Whitmire, the Richardson resident featured by *The Dallas Morning News*, but her family would have had to use about 60,000 gallons of water in a month to account for the \$310 bill under the city's current rate structure. For reference, the average American uses between 2,400 and 3,000 gallons of water per month, not counting irrigation. Whitmire's household may use more water than average, but she's hardly an anomaly, particularly in Dallas northern suburbs. According to the most recent state water plan, four of the top six cities in terms of residential water usage per capita – Frisco, Richardson, McKinney and Plano – are NTMWD members.

Drought-induced conservation efforts, like NTMWD's twice-monthly lawn watering (the easing of which triggered the current complaints) have reduced average water usage. But nothing signals scarcity or makes consumers question discretionary purchases quite like a price hike. Water demand doesn't respond perfectly to price. According to the EPA, a 10 percent increase in residential water rates results in a 2- to 4-percent drop in demand as customers change their habits and maybe go buy a low-flow toilet. The effect probably dissipates at some point, but if the conservative end of that estimate were to hold as NTMWD nearly triples rates between 2010 and 2020, then residential water usage would fall by more than half. Coupled with other conservation measures, the district could perhaps afford to forego some of the costly infrastructure projects currently on the drawing board.

And it's not like the suburban water rates are terribly high, even halfway through NTMWD's price-tripling. The 60,000 gallons of water that results in a \$310 bill in Richardson (and a \$268 bill in fellow member city McKinney, a \$288 bill in Frisco, and a \$344 bill in Plano) would cost \$411 in Dallas. In Houston it'd be \$444.38. In Seattle, which we'll toss in because it has the nation's highest residential water bills, it would be \$746, assuming it's the peak season and my conversion between gallons and cubic feet was correct. Austin, whose rate structure punishes high water usage even more than in Seattle, with residents paying \$23.75 for every thousand gallons used above 11,000, the bill would be a rather insane \$1,254. (Modest water usage is much more affordable – \$2.10 total for first 2,000 gallons, plus a meter fee – so as not to discourage bathing.)

So, the next time an eye-popping water bill arrives after drenching one's verdant lawn and blooming garden through the dog days of summer, don't be upset. Don't run to your nearest TV news reporter or elected official in a rage. Rejoice! For your sticker shock is a sign that, slowly, North Texas is coming to terms with its water future.



Everything New Orleans

\$134M for recovery projects arising from 2010 Gulf oil spill

The Associated Press By The Associated Press

on September 23, 2015 at 9:04 PM, updated September 23, 2015 at 9:10 PM

A panel on Wednesday approved using \$134 million provided by energy giant BP PLC on 10 projects to help the Gulf of Mexico recover from a catastrophic 2010 oil spill.

The approval came from a trustee council made up of Gulf coast states and federal officials overseeing ecological restoration from the offshore spill. About \$126 million will go to projects to help sea turtles, fish, vegetation and birds and \$8 million on enhancing recreational uses.

In 2011, BP offered to spend \$1 billion to spur the recovery of the Gulf, anticipating future restoration costs meted out through the courts. BP is expected to spend billions of dollars more on restoration.

An April 2010 blowout at a well BP and its contractors were drilling touched off the worst offshore oil spill in U.S. history. The explosion and fire aboard the Deepwater Horizon rig killed 11 workers and crews took nearly three months to cap the leak, which some experts estimated at more than 130 million gallons of oil.

So far with the new projects included, about \$832 million of the \$1 billion has been awarded. The projects were announced previously in April.

The largest amount of money — more than \$45 million — will go to measures to protect sea turtles, which are considered threatened and endangered throughout U.S. waters. The April 2010 spill hit turtles hard, in particular a species of small turtles known as the Kemp's ridley turtle.

The new money will be spent over 10 years on finding Kemp's ridley turtle nests in Texas and Mexico, helping nesting turtles or rescuing turtles in distress and getting shrimp fishermen to avoid catching sea turtles in their nets.

The next largest amount of money — \$30 million — is for projects along the Mississippi coast. That money will be used to build about 272 acres of reefs and 4 miles of breakwaters. Scientists expect that these spots will over time become fertile marine grounds and enhance the growth of oysters, shrimp, crabs and other species. Scientists also say the breakwaters will reduce shoreline erosion and marsh loss. Alabama is to receive about \$10 million for similar projects.

Meanwhile, about \$20.6 million will be spent on bird nesting areas in Texas. This project will restore and protect three islands in Galveston Bay and one in East Matagorda Bay to provide more nesting habitat for brown pelicans, gulls, great blue herons, roseate spoonbills and other birds.

Another \$20 million will pay fishermen to set aside long lines during the six-month bluefin tuna spawning season and use other gear. The program is expected to last between five and 10 years.

Longline boats use up to 40 miles of baited hooks to fish for yellowfin tuna and swordfish, but also haul up sharks, bluefin tuna and marlin. Bluefin tuna, which can weigh a quarter-ton and sell for thousands of dollars, have been severely overfished, particularly to feed a worldwide market for sushi.

Experts are praising restoration efforts so far.

"A lot of it is focused on coastal areas, and that's where a lot of the damage occurred," said Ian MacDonald, an oceanographer at Florida State University. But he said deep-sea areas shouldn't be neglected, noting much oil ended up on the ocean floor where it damaged corals and deep-sea marine life.

Larry McKinney, executive director of the Harte Research Institute at Texas A&M University-Corpus Christi, said restoring deep-sea areas won't be easy. "No one really has the magic beam to hit it with," he said. "When you're talking about a half mile down, a mile down, there's no easy answer."

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ENERGY

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ENERGY

Pope endorses Obama's EPA initiative

Announces fight against climate change a 'critical moment of history'

By **Jennifer A. Dlouhy** | September 23, 2015

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WASHINGTON- Pope Francis had been in the United States less than 24 hours Wednesday when he renewed his call for urgent action on climate change - a position that puts him firmly in one camp on an issue among many that define the American political divide.

The pope arrived at the White House in his modest Fiat. He soon waded into two of America's most highly charged political debates, praising the U.S. as a nation of immigrants and offering a strikingly explicit endorsement of Obama's regulatory program to fight climate change.

'Critical moment'

Francis praised the Obama administration's plan for curbing greenhouse gas emissions from



Photo: HONS

IMAGE 1 OF 2

During brief remarks at the White House on Wednesday, Pope Francis told President Barack Obama it was "encouraging that you are proposing an initiative for reducing air pollution."

power plants - an Environmental Protection Agency initiative that has drawn scorn and legal action from some governors and energy industry officials.

"Climate change is a problem which can no longer be left to a future generation," the pope said. "When it comes to the care of our common home, we are living at a critical moment of

history."

The pope's remarks echoed an encyclical letter he issued in May that cast climate change as a human rights issue and stressed that "the urgent challenge to protect our common home" requires sustainable development. He is making the issue a priority as international leaders prepare for climate negotiations in Paris this December.

On Wednesday, Francis said the world still has time to make needed changes, but that it will demand "a serious and responsible recognition not only of the kind of world we may be leaving to our children, but also to the millions of people living under a system which has overlooked them."

President Barack Obama also highlighted the issue.

"Holy Father, you remind us that we have a sacred obligation to protect our planet, God's magnificent gift to us," Obama said. "We support your call to all world leaders to support the communities most vulnerable to a changing climate and to come together to preserve our precious world for future generations."

subhed

White House spokesman Josh Earnest said later Wednesday that the goal of the meeting between Obama and Francis "was not to advance anyone's political agenda," though the president welcomed the pope's support for the EPA's Clean Power Plan.

ENERGY

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Dealers, owners feel frustrated and betrayed by VW scandal

Climate change is expected to play a central role in the pope's remarks Thursday to Congress and also could come up in an address to the United Nations on Friday.

Some oil and gas advocates have taken a measured response to the pope's climate change message. But critics say the call to act on climate ignores the benefits that fossil fuels have brought the world, including by bringing power to the poor and improving their quality of life.

Alex Epstein, author of "The Moral Case for Fossil Fuels," noted that some 3 billion people in the world "have next to no energy."

"If their lives are to improve, humanity will need to use more fossil fuels, not less. That is a moral imperative," Epstein said.

After he left the White House, the pope went to the Cathedral of St. Matthew the Apostle to celebrate Mass.

As the pope entered the cathedral, the rector, Monsignor W. Ronald Jameson, who greeted him at the door threw his arms open wide. As he walked down the church's center aisle between rows of bishops in pink zucchetos, some of them held up phones and cameras to take pictures.

Speaking to his "brothers" at the cathedral where John F. Kennedy was eulogized in 1963, the pope was warm and encouraging. He praised the bishops for their work on behalf of immigrants and for the first time praised their "courage" in handling the church's sex-abuse scandals.

"I am also conscious of the courage with which you have faced difficult moments in the recent history of the Church in this country without fear of self-criticism and at the cost of mortification and great sacrifice," the pope told the bishops.

Like his predecessors, he urged the bishops not to remain silent toward the "innocent victim of abortion." But he mentioned the highly charged issue only as the first in a long list of other matters, including children who die of hunger and bombings, immigrants who "drown in the search for a better tomorrow," the elderly or sick, the victims of terror, war and drug trafficking and an environment "devastated by man's predatory relationship with nature."

The New York Times contributed to this story.



**Jennifer A.
Dlouhy**

Energy Reporter,
Houston Chronicle

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